

Local Rules of Court (Distribution for Public Comment)

Per California Rules of Court 10.6.13, the Superior Court of California, County of Kern, is distributing the following proposed amendments to the Local Rules of Court for public comment for the June 2014 cycle. Public comment can be submitted by either mailing your comments to the Court Executive Officer, County of Kern, 1415 Truxtun Ave. Bakersfield, CA 93301 or submitting them via the following email site wmadmin@kern.courts.ca.gov. All submissions must be received by no later than the close of business on May 1, 2014.

Chapter I. General Rules

Rule 3-2 1.1.1 Telephonic Court Appearances (Effective 7/1/03; rev. 7/1/09; ren. 1/1/13; **rev. 7/1/14**)

Within the Superior Court of California, County of Kern, telephonic court appearances are permitted for non-testimonial hearings and conferences in general Civil cases; ~~and in Unlawful Detainer matters; and Probate proceedings; Department of Child Support Services (DCSS) hearings; and limited Family Law matters upon leave of Court.~~ **the Superior Court Division Civil Division and Departments within said Division listed in Addendum 2 allow** Telephonic court appearances are **allowed** through ~~CourtCall.~~ **CourtCall, LLC. For Civil and Probate,** a party may appear by telephone **as allowed by California Rules of Court 3.670, as amended January 1, 2014** ~~at the following hearings, conferences and proceedings:~~ (1) case management conferences, ~~provided the party has made a good faith effort to meet and confer and has timely served and filed a case management statement before the conference date;~~ (2) trial setting conferences; (3) hearings on law and motion, except motions in limine; (4) hearings on discovery motions; (5) status conferences, including conferences to review the status of an arbitration or mediation; (6) ~~hearings to review the dismissal of an action.~~ **For Family Law, a party appearing in matters involving the Department of Child Support Services may appear by telephone as allowed by California Rule of Court 5.324. Parties may also appear by telephone, pursuant to California Rule of Court 5.9, in general Family Law matters-defined as those not involving Department of Child Support Services.** ~~CourtCall~~ **Court Call** may be arranged by contacting CourtCall, LLC at 6383 Arizona Circle, Los Angeles, California 90045, toll free telephone number (888) 88-COURT or (310) 342-0888, fax number (310) 743-1850 or (888) 88FAXIN. **Notwithstanding any other time provision in the related California Rules of Court,** Court Call arrangements must be confirmed no later than 3:00 p.m. the day before the scheduled hearing. ~~Counsel should refer to California Rules of Court 3.670, as amended 1/1/08.~~ (Effective 7/1/03; rev. 7/1/09; **rev. 7/1/14**)

Rule ~~6.3.5~~ 1.1.2 Late Attorney Notification (Effective 7/1/14)

In order to notify the court that an attorney will be late for a court appearance, the attorney or **his or her** representative may use the notification system ~~found~~ on the Kern County Superior Court website at www.kern.courts.ca.gov. A link to the "Attorney Late Form" appears under the "Quick Information" tab. The form must be completed in its entirety and submitted prior to 8:20 a.m. **on the morning of the scheduled appearance. Unforeseen emergencies after 8:20 AM may be reported to the Court by calling 661-868-2608. (Effective 7/1/14)**

Rule 1.8.1 Additional Court Fees (Effective July 1, 2014)

The Superior Court of California, County of Kern will charge the following fees:

- Off-site retrieval of files \$20.00
- Copy requests on compact discs (CD provided by Court) *for copies of 30 pages or more:*

Number of pages total	Total Cost
1-50 pages -	\$12.00
51-75 pages -	\$16.00
76-100 pages -	\$20.00
101-125 pages -	\$24.00
126-150 pages -	\$28.00
151-200 pages -	\$36.00

- Postage for CD \$2.75
- Fees in addition to copy fees, search, and offsite record retrieval fees (if applicable), include but may not be limited to:

➤	Postage/Shipping (envelope provided by Court) - Hardcopies:
	1-15 pages - \$1.52
	16-30 pages - \$1.92
	31-45 pages - \$2.52
	46-60 pages - \$2.92
	61-75 pages - \$3.32
	76-90 pages - \$5.05

➤	<u>Postage for CD</u> \$2.75
---	------------------------------

A summary of the calculation of the Superior Court, County of Kern, additional fees is on file with the Accounting Division and can be obtained by writing:

The Superior Court
County of Kern

Accounting Division
1415 Truxtun Ave
Bakersfield, CA 93301

Chapter III. Civil Rules and Civil Case Management

Rule 3.3.2 Order to Appear for Judgment Debtor Examination (Effective 7/1/09; ren. 1/1/13; **Rev. 7/1/14)**

There shall be no continuances granted if a Judgment Creditor is unable to serve a Judgment Debtor **with the Order to Appear for Judgment Debtor Examination. Cases in which there is no proof of service filed with the Clerk of the Court at least three (3) calendar days prior to the scheduled court date, the matter shall be removed from the court calendar by the Clerk of the Court. If no timely proof of service is filed, the Judgment Creditor may again file an Order to Appear, which will require a new filing fee. not able to serve, must re-file new Order to Appear along with the appropriate filing fee. (effective 7/1/09; **Rev 7/1/14**)**

Rule 3.12.2(b) Time for Filing (Adopted 1/1/08; ren. 1/1/13; **Rev. 7/1/14)**

(b) At the time the complaint in a Rule 3.740 collection action is filed, the clerk shall issue an order to show cause ~~re dismissal~~ to the plaintiff designating a date of hearing on the order to show cause not less than one hundred eighty (180) days nor more than two hundred (200) days after filing, **for compliance with Rule 3.740(d), and not less than three hundred forty (340) days and nor more than three hundred sixty (360) days after the date of filing of the complaint, for compliance with Rule 3.740(f).** If not less than ten (10) days prior to the order to show cause the plaintiff files a proof of service or an order for publication of the summons as to each named defendant or answer or other responsive pleading filed by each named defendant **in compliance with Rule 3.740(d) or a request for entry of default,** a default judgment, a request for dismissal of the entire action, a stipulated judgment or stipulation for entry of judgment, or a notice of settlement **in compliance with Rules 3.740 and 3.741,** the order to show cause will be ~~continued by the clerk to a date no less than three hundred forty (340) days and nor more than three hundred sixty (360) days after the date of filing of the complaint~~ **vacated by the clerk. (Revised 7/1/14)**